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less 430 nm, [non-reflective colored and finished exterior] in the form of a predefined clearly demarcated geometric shape which provides a non-verbal communication to others; and

(b) within a week after application of the non-toxic material having a non-reflective colored and finished exterior from step (a), removing it.

17. (Amended) A decal or temporary tattoo having a clearly demarcated geometric and predefined shape and dimensioned to substantially cover the area of a reflective location on the cheek at which incident direct or indirect light is likely to be reflected into the human's eye, said temporary tattoo or decal being non-toxic and having an exterior, when applied, surface [of non-reflective colored and finished material] appearing as a dull or matte color having a wavelength of greater than 690 nm and less than 430 nm [of sufficient size and non-reflectivity to substantially eliminate the reflection of incident direct or indirect light off the human's cheek into the human's eye].

✓ Claim 2, lines 3 through 5, delete "and so that ... participants eyes".

(n.c.) Claim 9, lines 7 and 8, delete "and absorbing most of the light in the visible spectrum".

Cancel claim 10 without prejudice. ✓

(n.c.) Claim 18, lines 4 through 6, delete ", no part ... human's eyes".

REMARKS

By the present amendment claims 1 and 17 have been amended to overcome the rejections of claims 1 and 17 made in the Board of Appeals' decision. Since the words "substantially" and "about" are read into the claim limitations by the Court in any event, when considering infringement, their removal is without prejudice.